

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

400Q0231

HOUSE BILL NO. 1064

Introduced by: The Committee on Agriculture and Natural Resources at the request of the
State Brand Board

1 FOR AN ACT ENTITLED, An Act to revise certain brand inspection provisions regarding
2 authorized bills of sale.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 40-20-26.2 be amended to read as follows:

5 40-20-26.2. The provisions of § 40-20-26.1 notwithstanding, ownership of livestock with
6 the seller's South Dakota recorded and healed brand or the owner's unbranded livestock may be
7 transferred by means of an authorized bill of sale without a brand inspection. The bill of sale
8 shall be on a form prescribed by the board. A copy of an authorized bill of sale shall be
9 forwarded to the board. An authorized bill of sale ~~does not substitute for inspection of livestock~~
10 ~~being removed from the ownership inspection area of South Dakota~~ is valid for transportation
11 of livestock out of the ownership inspection area only if transported by the buyer or the buyer's
12 agent, and only on the date the authorized bill of sale is executed.

13 An authorized bill of sale may transfer no more than five head of livestock to any one buyer.
14 Multiple authorized bills of sale may not be executed to subdivide numbers of livestock greater
15 than five to any one buyer. The transfer of livestock without an authorized bill of sale under this



1 section or in violation of the requirements relating to the number of livestock that may be
2 transferred to a single buyer, or the transporting of livestock out of the ownership inspection
3 area in violation of this section is a Class 1 misdemeanor.